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**CECC-K: 29 November 1995**

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CECC-K

29 November 1995

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Preparation of Litigation Reports

1. Reference my memorandum of 12 September 1995, subject as above, in which I advised you that, in light of the Chief Counsel's delegation of settlement authority for lawsuits being handled by the United States Attorneys' Offices, the requirements regarding preparation of litigation reports were being amended. The Corps' Litigation Regulation, ER 27-1-1, is being revised to reflect the changes. Until the revision is completed, the following requirements are in effect:

- a. For lawsuits being handled by the Justice Department in Washington, D.C., a complete copy of the litigation report prepared for the DOJ attorney must be sent to this office.
- b. For lawsuits being handled by the United States Attorneys' Offices, a copy of the complete litigation report **need not** be sent to this office. Rather, you need only send us a copy of the complaint, your statement of the facts and legal analysis, and in the case of personnel litigation, a copy of the decision of the EEOC or MSPB. Exhibits, witness lists, and other attachments should not be sent to us unless specifically requested.

2. If you have any questions, please call Mrs. Carolyn Lynch or me at (202) 761-0027.

FOR THE COMMANDER:

/s

MARTIN R. COHEN  
Assistant Chief Counsel  
for Litigation

Distribution Attached

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*Send comments to: Webmaster**Revised: 30 November 1995*